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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

AI QIU FANG,

Plaintiff,

v.

MICHAEL CHERTOFF, Secretary of the
 Department of Homeland Security,
 ROBERT DEVINE, Acting Director, U.S.
 Citizenship and Immigration Services;
 CONDOLEEZZA RICE, Secretary of
 State, Department of State; JACKIE
 WONG, Officer in Charge, USCIS
 Guangzhou Office,

Defendants.

No. C 05-4381 JF

**STIPULATION TO DISMISS AND
 [PROPOSED] ORDER**

Plaintiff, by and through his attorney of record, and Defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-entitled action without prejudice in light of the fact that the United States Citizenship and Immigration Services is now prepared to adjudicate plaintiff's applications for travel documents as a derivative asylee of an approved Form I-130 petition, and agree to issue such documents within 60 days of the dismissal of this action.

Each of the parties shall bear their own costs and fees.

Stipulation to Dismiss
 C 05-4381 JF

1 Date: March 22, 2006

Respectfully submitted,

2 KEVIN V. RYAN
United States Attorney

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5 /s/
ILA C. DEISS
Assistant United States Attorney
6 Attorneys for Defendants

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9 Date: March 22, 2006

10 /s/
JUSTIN X. WANG
Attorney for Plaintiff

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13 **ORDER**

14 Pursuant to stipulation, IT IS SO ORDERED.

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17 DATED: 3/27/06

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JEREMY FOGEL
United States District Judge